

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:08 CR 45**

UNITED STATES OF AMERICA,

Vs.

ALEN WAYNE SMITH,

Defendant.

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ORDER

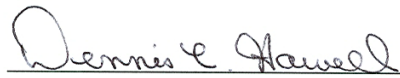
THIS CAUSE coming on to be heard before the undersigned, pursuant to a Motion to Continue (#28) the arraignment of the defendant in this matter scheduled for May 12, 2008 filed by defendant's counsel, Jack W. Stewart. It appearing that Mr. Stewart has filed a Notice of Appearance certifying that he is going to be representing the defendant in this matter. It appears that good cause has been shown for the granting of said motion. On May 19, 2008 Mr. Stewart appeared on behalf of the defendant and requested a further continuance of the arraignment because Mr. Stewart had been in trial during the week of May 12th and unable to contact the defendant to tell him of the scheduled date of the arraignment. For good cause further shown the arraignment will be continued until June 2, 2008.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Continue (#28) is hereby **GRANTED** and that arraignment in this matter is continued until June 2,

2008.

Signed: May 21, 2008



Dennis L. Howell
United States Magistrate Judge

